

SEVENTEENTH DAY

(Thursday, February 12, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Father in Heaven, in this moment of prayer, may Thy unseen presence be felt in the minds of these Thy servants to enlighten them, in their hearts to sanctify them, and in their wills to give them strength. May they know the secret joys of a life consecrated to Thy service. Through Jesus Christ our Lord. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Martin was granted leave of absence for today on account of important business on motion of Senator Roberts.

Reports of Standing Committees

Senator Krueger submitted the following report:

Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 34, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 118, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 109, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 302, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to whom was referred S. B. No. 84, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 13, Inviting Preston J. Moore to address a Joint Session of the Legislature on March 31, 1959, at 10:30 a.m. o'clock.

S. C. R. No. 14, Requesting Governor to designate Texas Nurse Week.

Senate Resolution 83

Senator Secrest offered the following resolution:

Whereas, Jimmy Lemmon, son of Mr. and Mrs. Vestal Lemmon of Chicago, Illinois, is a visitor in the Senate today; and

Whereas, This young man is celebrating Lincoln's birthday by observing the Legislative activities of his parents' native State; now, therefore, be it

Resolved, That Jimmy Lemmon be welcomed by the Senate, and appointed as an honorary page for the day.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented Jimmy Lemmon to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 38, Amending Section 9, 10, 11 and 13 of Chapter 52, Acts of the Forty-first Legislature, First Called Session, 1929, compiled as Section 9, 10, 11 and 13 of Article 1525b, Vernon's Annotated Penal Code, so as to regulate the movement of livestock and domestic fowl into the State of Texas; providing a penalty for violation; and declaring an emergency.

H. B. No. 66, Prohibiting the man-

ufacture, possession, distribution, sale or use of live hog cholera virus vaccine in the State of Texas; and declaring an emergency.

H. C. R. No. 27, In memory of Dr. Paul Lewis Boynton.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 34 Ordered Not Printed

On motion of Senator Willis and by unanimous consent S. B. No. 34 was ordered not printed.

Senate Bill 85 Re-Referred

On motion of Senator Hazlewood and by unanimous consent S. B. No. 85 was withdrawn from the Committee on Labor and Management Relations and re-referred to the Committee on Transportation.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Lane:

S. B. No. 153, A bill to be entitled "An Act amending Article IV, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (codified as Article 6687b of Vernon's Texas Civil Statutes) to add a new section providing for the issuance of an occupational license; providing for the payment of a fee for such license; providing for a court order relating to such occupational license; providing a penalty; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Fly:

S. B. No. 154, A bill to be entitled "An Act amending H. B. No. 67, Chapter 30, Acts of the Forty-third Legislature at its Fourth Called Session, 1934, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9, and adding an emergency clause so as to permit any city located on the Gulf of Mexico, or on any channel, canal, bay or inlet connected with the Gulf of Mexico, to build, acquire, purchase, take over, construct, enlarge, extend, repair, maintain, improve, replace, develop, regulate, operate, lease, mortgage and encumber their harbors, ports, or navigational facilities in connection there-

with or any aids thereto, including but not limited to certain items and things; providing for foreclosure and franchise; providing for the issuance of warrants, providing for the issuance of bonds and the levy and collection of ad valorem taxes for the payment thereof and the method and manner of their issuance and related matters; providing for the issuance of bonds payable from revenues and for the pledge of revenues and the method and manner of their issuance and related matters; providing for the issuance, payment and security of bonds; enacting other provisions relating to the subject; providing for making certain laws applicable; providing for the issuance of refunding bonds and the method and manner of their issuance and related matters; providing for the pledge of gross or net or other revenues and defining same; providing for provisions in the bond ordinance or resolution; providing for transfer of funds to the city general fund under certain conditions; providing for charges, rates, rentals, tolls and services and related matters; providing for provisions pertaining to bonds; providing for interest during construction and other expenses payable from bond proceeds; providing for remedies and receivers under certain conditions and related matters; providing for election for bonds (except refunding bonds) and the manner and method and laws applicable; providing for approval of bonds and refunding bonds by Attorney General and registration and legality, validity and incontestability of bonds; providing for bonds and refunding bonds to be eligible investments and security for deposits; exempting property and bonds and refunding bonds from taxation; providing for applicability and inapplicability of Bond and Warrant Law; making Act cumulative but the provisions of this Act to prevail; providing for a severability clause, and declaring an emergency."

To the Committee on Jurisprudence.

House Bill 45 Postponed

On motion of Senator Moffett and by unanimous consent H. B. No. 45 was postponed until after the Morning Call on Wednesday, February 18, 1959.

Senate Bill 51 on Second Reading

Senator Moffett moved that Senate

Rules 116, 38 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 51 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Baker

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 51, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution comprising certain territory contained within Wichita County, to be known as the 'Wichita County Water Control and Improvement District No. 6,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial and mining uses and processing and distributing the same and for the purpose of providing or acquiring a sanitary sewer system; providing for a Board of Directors to govern said district; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 51 on Third Reading

Senator Moffett moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B.

No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Baker

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Baker

Absent—Excused

Martin

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 15, In memory of Dr. Paul Lewis Boynton.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Address of Senator Hubert Hudson to
Joint Session Ordered Printed
in Journal

On motion of Senator Owen and by upnanimous consent Senator Hudson was requested to reduce to writing the address he made to the Joint Session on yesterday and that the address be printed in the Senate Journal.

Senate Bill 141 on Second Reading

Senator Moore moved that Senate Rules 116, 38 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 141 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 141, A bill to be entitled
"An Act to amend Senate Bill No. 270,

Chapter 53, Acts of the 50th Legislature of Texas, 1947, relating to a road system for Limestone County, Texas, so as to fix the county engineer's salary at an amount not to exceed Eight Thousand, Five Hundred (\$8,500.00) Dollars per annum; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 141 on Third Reading

Senator Moore moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 141 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

Nays—1

Hardeman

Absent—Excused

Martin

Senate Bill 33 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 33 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 33, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to exchange lands in Dallas County, Texas, and execute deeds with Southwestern Medical Foundation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 33 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that

S. B. No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

Senate Bill 16 on Second Reading

Senator Ratliff moved that Senate Rules 116, 38, and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 16 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 16, A bill to be entitled "An Act amending Chapter 66, Acts of the Fifty-fourth Legislature (being the law creating West Central Texas Municipal Water District) by adding a provision with reference to annexation of additional territory; repealing Section 22 of said chapter; making a further provision with reference to the clerical error of omitting the word "water" from the name of the district specified in said chapter; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 16 on Third Reading

Senator Ratliff moved that Senate Rule 32 and constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 16 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff

Reagan	Smith
Roberts	Weinert
Rogers	Willis
Secrest	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

Senate Bill 46 on Second Reading

Senator Phillips moved that Senate Rules 116, 38 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 46 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 46, A bill to be entitled "An Act amending Article 8274 of the Revised Civil Statutes of Texas of 1925, as amended, relating to the rate of pilotage for each foot of water which the vessel at the time of piloting draws, which may be fixed under Articles 8267 and 8269 on any class of vessels in any port of the state so as to include the Port of Galveston; providing a repealing clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 46 on Third Reading

Senator Phillips moved that Senate Rule 32 and constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hardeman
Crump	Hazlewood
Dies	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent—Excused

Martin

Senate Bill 34 on Second Reading

Senator Willis moved that Senate Rules 116, 38 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 34 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 34, A bill to be entitled "An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Tarrant County at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said county or to take or attempt to take any fish or other aquatic life or marine animals from said county by any means or method; providing the pow-

ers, duties and authority of the Game and Fish Commission; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 34 on Third Reading

Senator Willis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

House Bill 302 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 302 was ordered not printed.

House Bill 302 on Second Reading

Senator Owen moved that Senate Rules 116, 38 and 13, and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 302 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 302, A bill to be entitled "An Act validating the organization and creation of County-wide hospital districts created or attempted to be created by authority of Chapter 266, Acts of the 53rd Legislature as amended by Chapter 257, Acts of the 54th Legislature, validating all acts of the Commissioners' Court of such counties in ordering an election or elections for the creation of such districts and in canvassing the returns and declaring the result thereof; validating such election or elections; providing that this Act shall apply only to such eligible hospital districts

in which an election has been held and which resulted in the adoption of the statutory proposition for the creation of such district, the levying of the tax and the assumption of hospital bonds; providing that this act shall not apply to any district involved in litigation, if such litigation is ultimately determined against the validity of the district; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 302 on Third Reading

Senator Owen moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff

Reagan	Smith
Roberts	Weinert
Rogers	Willis
Secrest	Wood

Absent—Excused

Martin

Senate Bill 49 on Second Reading

Senator Smith moved that Senate Rules 116, 38 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 49 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 49, A bill to be entitled "An Act changing the name of the Hockley County Junior College District, established in Hockley County, Texas, and enlarged by annexation into Cochran County, Texas, to the 'South Plains Junior College District,' providing that all powers under law, special or general, granted or vested in said District, shall be the same under the new name, providing that all rights, appurtenances, property, things of value, contracts, obligations, belonging to the Hockley County Junior College District, Hockley County, Texas, or South Plains Junior College District, are ratified and confirmed in behalf of the South Plains Junior College District; providing a repealing clause, saving clause, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 49 on Third Reading

Senator Smith moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Martin

House Concurrent Resolution 27 on Second Reading

The President laid before the Sen-

ate on its second reading the following resolution:

H. C. R. No. 27, In memory of Dr. Paul Lewis Boynton.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

House Bills on First Reading

The following bills received from the House today were read first time and referred to the committee indicated:

H. B. No. 66, To the Committee on Agriculture and Livestock.

H. B. No. 38, To the Committee on Agriculture and Livestock.

Message from the Speaker of the House

The following message received from the Speaker of the House of Representatives was read and was referred to the Committee on Nominations:

Austin, Texas,
February 9, 1959.

To the Senate of the Fifty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

John Davenport of Austin, Travis County. To be a member of the Employees Retirement Board, for a two year term to begin September 26, 1958, and expire September 1, 1960.

Respectfully submitted,
WAGGONER CARR,
Speaker of the House.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the committee indicated:

By Senator Bradshaw:

S. B. No. 155, A bill to be entitled "An Act amending the Insurance Code, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by amending Article 6.01 to prescribe the method of maintaining reserves on fire insurance; by amending Article

6.02 to prescribe the method for calculating and maintaining the reserves on marine and transportation insurance; by amending Section 6 of Article 6.12, and Article 21.32 to conform with the other amendments contained in this Act; repealing conflicting laws or parts of laws; providing a savings clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Bradshaw:

S. B. No. 156, A bill to be entitled "An Act amending Article 2.14 of the Insurance Code, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by providing that officers, other than president, need not be directors or stockholders unless required by bylaws; and declaring an emergency."

To the Committee on Insurance.

By Senator Crump:

S. B. No. 157, A bill to be entitled "An Act to amend Section 121, Article 6701d of the Revised Civil Statutes of 1947 regulating the lighting of a vehicle parked or stopped upon a roadway or shoulder adjacent thereto; repealing all laws in conflict herewith; and declaring an emergency."

To the Committee on Transportation.

By Senator Baker:

S. B. No. 158, A bill to be entitled "An Act amending Article 20.10, Article 20.12, Article 20.16, and Article 20.19 of the Insurance Code, Acts 1951, 52nd Leg., ch. 491; relating to salaries and investment of funds; relating to the authority to contract; relating to membership certificates and other types of contracts; providing for a saving clause; providing for severability; and declaring an emergency."

To the Committee on Insurance.

Adjournment

On motion of Senator Hardeman, the Senate at 11:23 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, February 16, 1959.

Record of Vote

Senators Krueger, Herring, Phillips and Kazen asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
Jess S. Smith

Senator Smith offered the following resolution:

(Senate Resolution 82)

Whereas, Almighty God, in His Infinite Wisdom, saw fit to close the life of an outstanding Texas citizen, Jess S. Smith, of Brownfield, Texas, at the age of 71; and

Whereas, Mr. Smith was born November 27, 1886, in Wise County, and moved to Brownfield in 1920 to engage in farming and cattle raising; and

Whereas, He was public weigher at one time, and from 1933 until 1937 was sheriff of Terry County, and was a trustee of Wayland Baptist College at Plainview for ten years, and for the past twenty years had been a member and board president of Farmer's Cooperative Society No. 1 Gin and Farmer's Co-Op Service Station; and

Whereas, Mr. Smith always found time to serve his county and community in many civic activities, including having been a member and a past chairman of First Baptist's Board of Deacons, a director of the Lyntegar Electric Co-Op, member of the loan committee for Farmers Home Administration, and member of Terry County ASC Committee, and served on the Terry County hospital committee; and

Whereas, He is survived by his widow; his two sons, Fayne Smith of Route 1 and J. E. Smith of 702 East Reppto; two daughters, Mrs. Joe Henson of 306 East Buckley and Mrs. Ed Gardner of New Canaan, Connecticut; four stepsons, C. E. Nichols and G. R. Nichols of Sundown, H. M. Nichols of Winters and E. N. Nichols of Lubbock; two sisters, Mrs. Cora Shaddle of Corona, California, and Mrs. Edith Bailey of Jacksboro, and 10 grandchildren; now, therefore, be it

Resolved, by the Senate of Texas, That we extend our sincere sympathy to the family of Jess S. Smith; that a copy of this resolution be sent to each member of his family; and that a page in today's Journal be devoted to his memory; and that when the Senate adjourns today, it do so in memory of Jess S. Smith.

The resolution was read and was adopted by a rising vote of the Senate.